

orange pulp, and phosphoric acid had been added thereto or mixed or packed therewith so as to make them appear better or of greater value than they were. The grape juice was alleged to be adulterated (1) in that inferiority had been concealed through the use of artificial color, and (2) in that artificial color had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

The pineapple orange, orange, and orange fruit punch flavors were alleged to be misbranded (1) in that the statement on the streamer label "Health Drinks Rich in Natural Vitamins" was false and misleading since the articles were not rich in vitamins because the amounts of vitamin C found were substantially less than the amounts found in orange and grapefruit juices; (2) in that the statements appearing in the labeling "Health Drinks \* \* \* Pineapple Orange Concentrate Health Drink," "Orange Concentrate Health Drink," "Fruit Punch Concentrate Health Drink," were false and misleading as applied to articles that were fruit-flavored sirups imitating fruit-juice concentrates; (3) in that they were imitations of other foods and their labels failed to bear in type of uniform size and prominence the word "imitation" and, immediately thereafter, the name of the food imitated; (4) in that they were fabricated from two or more ingredients and their labels failed to bear the common or usual name of each such ingredient since phosphoric acid was not declared; and (5) in that they contained artificial coloring and failed to bear labeling stating that fact. The grape juice was alleged to be misbranded (1) in that the statements, (streamer) "Health Drinks" and (bottle) "Health Drinks \* \* \* Grape Juice Concentrate Health Drinks," were false and misleading as applied to an article that was a fruit-flavored sirup imitating fruit-juice concentrates and that it was not rich in vitamins; and (2) in that it was an imitation of another food and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated. The pineapple flavor was alleged to be misbranded in that the statements (streamer) "Health Drinks" and (bottle) "Health Drinks \* \* \* Pineapple Concentrate Health Drink," were false and misleading as applied to an article that was a fruit-flavored sirup imitating fruit-juice concentrates and that it was not rich in vitamins. The grapefruit flavor was alleged to be misbranded (1) in that the statements, (streamer) "Health Drinks Rich in Natural Vitamins" and (bottle) "Health Drinks \* \* \* Grapefruit Concentrate Health Drink," were false and misleading as applied to an article that was a fruit-flavored sirup imitating fruit-juice concentrates and that it was not rich in vitamins; and (2) in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient since its pulp was not declared.

On October 24, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

**4491. Adulteration of almond paste, date jam, doughnut sugar, apricot glaze, fondant icing, and red raspberry puree. U. S. v. Wood & Selick Co. and Harold E. Selick. Pleas of guilty. Defendant corporation fined \$3,000. Imposition of sentence was suspended with respect to Harold E. Selick. (F. D. C. No. 6493. Sample Nos. 58166-E, 74047-E, 74056-E, 74493-E, 74495-E, 74496-E.)**

Filth, such as rodent and other hairs, feather barbules, splinters, and worm and insect fragments, were found in samples taken from these products.

On June 30, 1942, the United States attorney for the Southern District of New York filed an information against Wood & Selick Co., a corporation trading at New York, N. Y., and Harold E. Selick, alleging shipment within the period from on or about September 2 to on or about September 11, 1941, from the State of New York into the States of Minnesota, Connecticut, and New Jersey of quantities of the above-named products which were adulterated in that they consisted in whole or in part of filthy substances.

The articles were labeled in part: "Favorite Almond Paste," etc.

On July 21, 1942, pleas of guilty having been entered, the court fined the defendant corporation \$500 on each of the 6 counts, a total of \$3,000. Imposition of sentence was suspended with respect to Harold E. Selick.

**4492. Adulteration of blueberry filling. U. S. v. 10 Pails of Blueberry Filling. Default decree of condemnation and destruction. (F. D. C. No. 8191. Sample No. 17143-F.)**

Examination of this product showed the presence of insect infested blueberries.

On August 21, 1942, the United States attorney for the District of New Jersey filed a libel against 10 wooden pails, each containing 30 pounds, of blueberry